

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 22-20423-CR-SCOLA

UNITED STATES OF AMERICA

vs.

NEPMAR JESUS ESCALONA,

Defendant.

_____,

FACTUAL PROFFER

The United States Attorney's Office for the Southern District of Florida and the Money Laundering and Asset Recovery Section of the United States Department of Justice Criminal Division (together, the "Government") and the defendant NEPMAR JESUS ESCALONA (the "defendant") hereby agree that the Government can prove the following facts at trial beyond a reasonable doubt:

1. During a period beginning in and around January of 2010, and ending no earlier than September 18, 2017, NEPMAR JESUS ESCALONA entered into an agreement with at least two people to defraud two foreign financial institutions located in Venezuela, known as the Central Bank of Venezuela and Banesco Bank.

2. The agreement was for the conspirators to knowingly submit fraudulent applications to the Venezuelan currency regulation authority, also known as CADIVI, in order to deceive Banesco Bank, the Central Bank of Venezuelan, and the Venezuelan customs authorities, into releasing U.S. dollars to the conspirators outside of Venezuela. The fraudulent applications were submitted to finance purported food imports to Venezuela, but in reality were an artifice to enrich the conspirators.

Deft's initials N.E.

3. As part of the conspiracy in April of 2014, NEPMAR JESUS ESCALONA, while residing in the Southern District of Florida, provided his co-conspirators with Venezuelan bolivars worth approximately \$164,000 to finance the purported import of a food product purportedly worth \$1.677 million.

4. From the Southern District of Florida, NEPMAR JESUS ESCALONA arranged for the \$164,000 to be delivered to the Banesco Bank account in Venezuela belonging to the food manufacturing business of an associate.

5. The conspirators then arranged for the provision of paperwork to CADIVI stating the false intention to import from Brazil a chemical food additive called Aldehyde C10, at a cost of approximately \$1.677 million.

6. The conspirators arranged for a series of bribes to be paid to officials in Venezuela to prevent the detection of the fraudulent importation of Aldehyde C10.

7. On or about May 21-22, 2014, CADIVI granted the conspirators twelve permits to pay a total of \$1.677 million to an exporter in Brazil for the purported sale of Aldehyde C10.

8. Based on the twelve CADIVI permits acquired under false pretenses, Banesco Bank in Venezuela wire transferred twelve payments totaling \$1.677 million to an account controlled by the conspirators at Banco do Brasil in Brazil.

9. Via email and telephone calls from the Southern District of Florida, NEPMAR JESUS ESCALONA instructed a co-conspirator to wire transfer proceeds of the fraud, as well as funds constituting bribes, to five bank accounts at Wells Fargo, Bank of America, UBS Bank, and Mercantil Commercebank; none of which were held in his own name.

Deft's initials N. E.

10. At the direction of NEPMAR JESUS ESCALONA, a co-conspirator did wire transfer proceeds of the fraud, as well as funds constituting bribes, from a bank account in Hong Kong, China, controlled by the conspirators to:

	<u>Bank</u>	<u>Approximate Date</u>	<u>Approximate Amount</u>
1.	Wells Fargo Bank, N.A.	June 30, 2014	\$33,352.44
2.	UBS AG	June 30, 2014	\$100,057.00
3.	Mercantil Commercebank, N.A.	June 30, 2014	\$8,338.00
4.	UBS AG	July 9, 2014	\$200,000.00
5.	Bank of America, N.A.	December 29, 2014	\$79,100.00

11. The funds from the five wire transfers in the previous paragraph, totaling \$420,847.44, all entered financial institutions in the United States, including but not limited to the Southern District of Florida.

12. As part of the money laundering conspiracy in 2016 and 2017, NEPMAR JESUS ESCALONA conducted a series of phone calls, email conversations, and in-person meetings with his co-conspirators in the Southern District of Florida and elsewhere, including on or about September 18, 2017.

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Deft's initials N.E.


Date: 3/04/24

MARKENZY LAPOINTE
UNITED STATES ATTORNEY

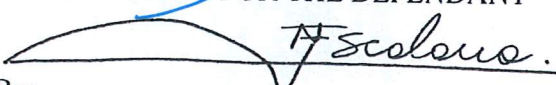
By: 
ANDREA GOLDBARG
ASSISTANT UNITED STATES ATTORNEY


JOSEPH PALAZZO
TRIAL ATTORNEY
U.S. DEPARTMENT OF JUSTICE

Date: March 4, 2024

By: 
JOSE M. QUINON
ATTORNEY FOR THE DEFENDANT

Date: 02/26/2024.


By: _____
NEPMAR JESUS ESCALONA
DEFENDANT

Def't's initials N.E.